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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,095	07/12/2005	Alon Bear	1138-US	5414

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EXAMINER	
NAM, HYUN	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/518,095	BEAR ET AL.	
	Examiner	Art Unit	
	Hyun Nam	2184	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *35-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *35-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/12/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: *SMART CARD DEVICE WITH USER IDENTIFICATION AND VERIFICATION FUNCTION OVER NETWORK AND COMMUNICATION INTERFACE.*

Invoked - 35 USC § 112 6th

Claims 39-43 have invoked 35 U.S.C. 112, sixth paragraph.

Claim Objections

Claims 37 and 39 are objected to because of the following informalities:

In claim 37, line 3, "an RF interface" should read --a Radio Frequency (RF) interface--.

In claim 39, line 9, "said communications interface" should read –said communication network interface--.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 35-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawan (U.S. Patent Number 5,796,832), hereafter refer to as Kawan '832.

Referring to claim 35, Kawan '832 teaches, as claimed, a smart card device (PC equipped with smart card reader, see Fig. 4, Home PC 152 and Column 6, Lines 26-27) comprising:

a controller (see Fig. 4, Home PC 152; Note, computer itself is a controller);

a smart card reader (see Fig. 4, Smart Card Reader 152a) in communication with said controller (Note, Smart Card Reader 152a is in communication with Home PC 152);

a communications interface (see Fig. 4, Telephone Network 151) coupled to said controller (Note, Telephone Network 151 is coupled to Home PC 152); and

a power source (see Fig. 4, HOME PC 152; Note, personal computers are equipped with power supply).

As to claim 36, Kawan '832 teaches the smart card device (Home PC 152) according to claim 35, configured to be connectable to any of

a) a telephone and the wall socket of a telephone line (see Fig. 4, Telephone Network 151),

b) a cellular phone (see Fig. 2C) via either of a cable and another communication interface (see Fig. 4), and

c) a telephone and its handset (see Fig. 4, Telephone Network 151).

As to claim 37, Kawan '832 teaches the smart card device (Home PC 152) according to claim 35, wherein said communications interface includes any of a MODEM (modem in a Home PC 152, see Fig. 4, Telephone Network 151), an Ethernet interface (see Fig. 4, LAN), an infra-red (IR) interface, an RF interface (see Fig. 4, Spread Spectrum Server 162), and audio tone capability (Note, phone uses audio tone).

As to claim 38, Kawan '832 teaches the smart card device according to claim 35, and further comprising any of a display screen (display on Home PC 152), a numeric keypad

(numeric keys on keyboard of Home PC 152), a function key keypad (function keys on keyboard of Home PC 152), and encryption means (see Fig. 6 Encryption Algorithms 234).

Referring to claim 39, Kawan '832 teaches, as claimed, a system (see Fig. 4 Wireless Transaction and Information System) for remotely verifying the identification of the user of a smart card (If the body of a claim fully and intrinsically sets forth all of the limitations of the claimed invention, and the preamble merely states the intended use, rather than any distinct definition of any of the claimed invention's limitations, then the preamble is not considered a limitation and is of no significance to claim construction. See MPEP § 2111.02.), the system comprising:

a smart card device (PC equipped with smart card reader, see Fig. 4, Home PC 152 and Column 6, Lines 26-27), comprising:

a controller (see Fig. 4, Home PC 152; Note, computer itself is a controller);

a smart card reader (see Fig. 4, Smart Card Reader 152a) in communication with said controller (Note, Smart Card Reader 152a is in communication with Home PC 152);

a communication network interface (see Fig. 4, Telephone Network 151) coupled to said controller (Note, Smart Card Reader 152a is in communication with Home PC 152); and

a power circuit (see Fig. 4, Home PC 152; Note, personal computers are equipped with power supply), and

a remotely located server (see Fig. 4, Wireless Financial Server 150) in communication with said communications interface (see Fig. 4, Telephone Network 151) comprising means for verifying the validity of the smart card being read by said smart card device and other data keyed into said device (see Column 6, Lines 59-64).

As to claim 40, Kawan '832 teaches the system according to claim 39, wherein said remotely located server further comprising means for performing any of validating a certificate and generating a "challenge" and accepting the "response" for said challenge (PIN, see Column 6, Lines 59-61; Note, asking for correct PIN is a "challenge" and accepting or denying access to the account associated with PIN is a "response").

As to claim 41, Kawan '832 teaches the system according to claim 39, wherein said other data comprises at least one of a personal identification number (PIN) (PIN, see Column 6, Lines 59-61) and biometric data (see Fig. 6, Biometric ID File 222).

As to claim 42, Kawan '832 teaches the system according to claim 39, wherein said remotely located server (see Fig. 4, Wireless Financial Server 150) is any of an Internet server (see Column 3, Line 54; Note, Server on Internet is one of the alternatives), an Interactive Voice Recognition server (IVR), and a Point Of Sale (POS) server.

As to claim 43, Kawan '832 teaches the system according to claim 39, wherein said remotely located server further comprises means for transferring any of e-goods and e-money (see Column 6, Line 44; Note, fund transfer is one of alternatives, e-money).
Referring to claim 44, Kawan '832 teaches, as claimed, a method (see Fig. 4 Wireless Transaction and Information System) for verifying the identification of the remote user of a smart card (see Column 6, Lines 59-64), the method comprising the steps of:

inserting a smart card into a smart card device (see Column 6, Lines 60-61), said smart card device comprising:

a controller (see Fig. 4, Home PC 152; Note, computer itself is a controller);

a smart card reader (see Fig. 4, Smart Card Reader 152a) in communication with said controller (Note, Smart Card Reader 152a is in communication with Home PC 152);

a communication network interface (see Fig. 4, Telephone Network 151) coupled to said controller; and

a power source (see Fig. 4, Home PC 152; Note, personal computers are equipped with power supply);

transmitting data from the smart card (transport route, see Column 6, Lines 59-64), via said communications interface (see Fig. 4, Telephone Network 151), to a remotely located server (see Fig. 4, Wireless Financial Server 150);

inputting privately known information (financial transactions, see Column 6, Lines 59-64) into said smart card device and transmitting said proof of signature (PIN verification, see Column 6, Lines 59-64) to said remotely located server (see Fig. 4, Wireless Financial Server 150); and

said remotely located server (see Fig. 4, Wireless Financial Server 150) verifying that said privately known information is a valid one for the card (Note, PIN number is used to match with the smart card information to validate the transaction).

As to claim 45, Kawan '832 teaches the method according to claim 44, wherein said privately known information includes any of a personal identification number (PIN) (PIN,

see Column 6, Lines 59-61), biometric data (see Fig. 6, Biometric ID File 222), and other personally known information (Note, account number associated with PIN is personally known information).

Referring to claim 46, Kawan '832 teaches, as claimed, a method for remotely purchasing goods or services (see Column 8, Lines 23-25), the method comprising the steps of:

inserting a smart card into a smart card device, said smart card device comprising:

a controller (merchant's terminal, see Column 8, Lines 23-25);

a smart card reader (merchant's terminal) in communication with said controller (Note, a smart card reader is built into merchant's terminal communicating with controller within);

a communication network interface (merchant's terminal) coupled to said controller (Note, merchant's terminal connected to network shown in Fig. 4); and

a power source (Note, a power source in merchant's terminal);

selecting an item (high value purchase, see Column 8, Lines 23-25) to be purchased from a supplier (merchant, see Column 8, Lines 23-25);

transmitting data read from the smart card (see Fig. 5, Smart Card 200), via said communications interface (see Fig. 5, Telephone Network 151, LAN, WAN or Wireless), to a remotely located server (Wireless Financial Server 150) in communication with said supplier (merchant's terminal);

said remotely located server transferring transaction information associated with the purchase to said smart card device for approval (see Column 8, Lines 27-31); and

storing said transaction information in said smart card (electronic purse file, see Column 8, Lines 20-24).

Conclusion

The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure:

Laing et al. (U.S. Patent 5,534,857) discloses method and system for secure decentralized personalization of smart cards; and

Doyle et al. (U.S. Publication Number 2002/0095587) discloses smart card with integrated biometric sensor.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hyun Nam whose telephone number is (571) 270-1725. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Henry Tsai can be reached on (571) 272-4176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HN

HENRY TSAI
SUPERVISORY PATENT EXAMINER

8/15/07